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C O N F I D E N T I A L SECTION 01 OF 02 SAN SALVADOR 6738

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C O R R E C T E D C O P Y TEXT

E.O. 12065: RDS-1 9/29/00 (DION, MARK) OR-M
TAGS: MASS, MILI, ES
SUBJECT: DRAFT CODE OF CONDUCT AND IMPLEMENTING INSTRUCTIONS DELIVERED TO AMBASSADOR

REF: SAN SALVADOR 6729

1. (C- ENTIRE TEXT.)

B1-EB

CONDITIONS RAISED IN OUR DEMARCHE, NEW CODE OF CONDUCT AMONG IMPLEMENTING ORDERS TO THE ARMED FORCES WERE CITED. FOLLOWING IS UNOFFICIAL TRANSLATION OF SECOND DOCUMENT HANDED OVER BY T SEPTEMBER 28 MEETING.

B1-EB

3. AGREEMENT NO.
THE REVOLUTIONARY GOVERNING JUNTA:
CONSIDERING:
I. THAT THE VIOLENCE WHICH HAS PROLIFERATED IN THE COUNTRY HAS SOCIOLOGICAL ROOTS AND THAT ITS GENERALIZATION CAN PROVOKE

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DEPARTMENT OF STATE A/SDC/MR
REVIEWED BY [signature] DATE 8 JUL 1982
PORTIONS DENIED AS INDICATED

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THE LOSS OF MEANING OF THE HUMAN VALUES WHICH MUST RULE ANY CIVILIZED SOCIETY.

II. THAT TO MAKE IT POSSIBLE FOR SOCIETY TO BE GOVERNED IN AN ORDER OF RESPECT FOR THE UNIVERSAL RIGHTS OF MAN, IT IS NECESSARY THAT THE AUTHORITY RESPONSIBLE FOR MAINTAINING SOCIAL DISCIPLINE BE ITSELF AN EXAMPLE OF REAL AND EFFECTIVE COMPLIANCE WITH THE LAWS, RULES, DIRECTIVES AND PROCEDURES WHICH GOVERN SOCIAL CONDUCT.
THEREFORE, THE REVOLUTIONARY GOVERNING JUNTA, CONSCIOUS OF THE RESPONSIBILITY IT HAS ASSUMED TO SAVE OUR COUNTRY FROM THE CRISIS OF HUMAN VALUES IN WHICH IT HAS FALLEN, AND BASED ON THE AUTHORITY WITH WHICH IT HAS BEEN INVESTED THROUGH THE INSURRECTIONAL MOVEMENT OF 15 OCTOBER AND BY A MAJORITY DECISION OF THE ARMED FORCES, AGREES: TO COMMUNICATE TO ALL CHIEFS, OFFICERS, NCOS AND TROOPS OF ALL UNITS OF THE ARMED FORCES, WHICH INCLUDE ALL MEMBERS OF THE TERRITORIAL SERVICE, THE FOLLOWING:
FIRST: IT IS THE DUTY OF EVERY SOLDIER IN ANY CIRCUMSTANCE OF LIFE TO COMPLY WITH THE CONSTITUTIONAL DUTY OF PROTECTING LIVES AND PROPERTY OF ALL CITIZENS AS WELL AS COMPLYING WITH AND ENFORCING THE LAWS AND REGULATIONS OF THE REPUBLIC.
SECOND: THE NATION HAS ACQUIRED A WORLDWIDE OBLIGATION TO RESPECT THE UNIVERSAL RIGHTS OF MAN, WHICH IS THE REASON FOR LIMITING THE EXERCISE OF AUTHORITY AND PROMOTING SOCIAL ORDER IN STRICT COMPLIANCE WITH THE LAWS. THE PROCEDURES EMPLOYED SHOULD NOT UNDER ANY CIRCUMSTANCES VIOLATE THE RIGHTS OF MAN. IN THIS RESPECT, AND FOR THE FAITHFUL COMPLIANCE OF THIS VITAL DUTY, IT IS ORDERED THAT ALL SUPERIORS WHO HAVE ANY RESPONSIBILITY FOR COMMAND OVER OTHERS UNDERTAKE TO WATCH OVER THEIR COMPLIANCE WITH THE CONCEPTS HEREIN SET FORTH AND IN THE SPIRIT WITH WHICH THIS COMMUNICATION HAS BEEN WRITTEN. IN THIS REGARD, THE INDIVIDUALS UNDER YOUR COMMAND MUST BE MADE AWARE OF THIS

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ORDER AND INSTRUCTED ACCORDINGLY.
THIRD: THE MINISTRY OF DEFENSE AND PUBLIC SECURITY SHOULD PREPARE ALL DIRECTIVES, ORDERS AND PROCEDURES WHICH ASSURE FAITHFUL COMPLIANCE BY THE MILITARY AND SECURITY FORCES OF OBLIGATIONS WHICH CORRESPOND TO EVERY SOLDIER, PREVENTING ANY ABUSE OF AUTHORITY OR MISUSE OF THE MEANS WHICH EACH POSSESSES. THE USE OF FORCE MUST BE REGULATED ESPECIALLY, THE METHODS OF APPREHENSION, BEHAVIOUR TOWARD THE POPULATION, RESPECT FOR PROPERTY, RIGHTS OF PRISONERS, AND ALL THOSE ACTIONS WHICH ARE NECESSARY TO ACHIEVE THESE GOALS.
FOURTH: ACTIONS WHICH CAN IN ONE WAY OR ANOTHER BE QUALIFIED AS PROCEDURES THAT ARE AGAINST THE LAW AND VIOLATE HUMAN RIGHTS ARE ABSOLUTELY PRHIBITED, AS WELL AS THE CREATION AND DIRECTION OF ORGANIZATIONS OR SUBVERSIVE/TERRORIST GROUPS BELONGING TO ANY IDEOLOGICAL FACTION.
FIFTH: EVERY SUPERIOR AUTHORITY WHO HAS KNOWLEDGE OF ANY VIOLATION OF HUMAN RIGHTS SHOULD PROCEED AS INDICATED IN THE RESPECTIVE LAW. IN THIS CASE THE COMMANDER SHOULD ORDER A PREVENTIVE ARREST AND INITIATE APPROPRIATE INVESTIGATION.
GIVEN AT THE MEETING HALL OF THE REVOLUTIONARY GOVERNING JUNTA, CASE PRESIDENCIAL ON THE -----DAY OF THE MONTH OF ------NINETEEN EIGHTY.

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C O R R E C T E D C O P Y TEXT GARBLED

4. ORIGINAL SPANISH VERSION OF SAME DOCUMENT:

CONSIDERANDO:
I- QUE LA VIOLENCIA DESATADA EN EL PAIS TIENE RAICES SOCIOLOGICAS Y QUE SU GENERALIZACION PUEDE HACER PERDER EL SENTIDO DE LOS VALORES HUMANOS QUE DEBEN REGIR EN TODA SOCIEDAD CIVILIZADA.
II- QUE PARA HACER POSIBLE QUE LA SOCIEDAD SE GOBIERNE DENTRO DE UN ORDEN DE RESPETO A LOS DERECHOS UNIVERSALES DEL HOMBRE, SE HACE NECESARIO QUE LA AUTORIDAD RESPONSABLE DEL MANTENIMIENTO DE LA DISCIPLINA SOCIAL SEA EJEMPLO REAL Y EFECTIVO DEL AUTOCUMPLIMIENTO DE LAS LEYES, REGLAMENTOS, DIRECTIVAS Y PROCEDIMIENTOS QUE NORMAN LA CONDUCTA SOCIAL.
POR TANTO, LA JUNTA REVOLUCIONARIA DE GOVIERNO, CONCIENTE DE LA RESPONSABILIDAD QUE HA ASUMIDO PARA SALVAR A NUESTRA PATRIA DE LA CRISIS DE VALORES EN QUE SE ENCUENTRA, Y EN BASE DE LA AUTORIDAD EN ELLA DE LEGADA POR VOLUNTAD DEL MOVIMIENTO INSURRECCIONAL DEL 15 DE OCTUBRE Y POR DECISION MAYORITARIA DE LA FUERZA ARMADA, ACUERDA: COMUNICAR A TODOS LOS JEFES, OFICIALES CLASES Y TROPA DE TODAS LAS UNIDADES DE LA FUERZA ARMADA, QUE INCLUYE A TODOS LOS MIEMBROS DEL SERVICIO TERRITORIAL LO SIGUIENTE:
PRIMERO: CORRESPONDE A TODO SOLDADO, EN CALQUIER CIRCUNSTANCIA

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DE LA VIDA, EL CUMPLIR SU DEBER CONSTITUCIONAL DE PROTEGER LA VIDA Y LA PROPIEDAD DE TODA LA CIUDADANIA ASI COMO CUMPLIR Y HACER CUMPLIR LAS LEYES Y REGLAMENTOS DE LA REPUBLICA,
SEGUNDO: LA NACION HA ADQUIRIDO EL COMPROMISO MUNDIAL DE RESPETAR LOS DERECHOS UNIVERSALES DEL SER HUMANO, RAZON POR LA CUAL DEBE LIMITARSE AL EJERCICIO DE LA AUTORIDAD, A PROMOVER EL ORDER SOCIAL DENTRO DEL ESTRICTO CUMPLIMIENTO A LAS LEYES Y EN NIMGUN CASO, LOS PROCEDIMIENTOS EMPLEADOS DEBEN VIOLAR LOS DERECHOS DE LA PERSONA; EN ESTE SENTIDO Y PARA EL FIEL CUMPLIMIENTO DE ESTE VITAL DEBER SE ORDENA A TODO SUPERIOR QUE TENGA ALGUNA RESPONSABILIDAD DE COMANDO SOBRE OTROS, VELAR PORQUE SE CUMPLA A CABALIDAD LOS CONCEPTOS Y EL ESPIRITU QUE ABRIGA ESTE COMMUNICADO PARA LO CUAL SE DEBE HACER LA DEBIDA CONCIENTIZACION E INSTRUCCION ENTRE LOS ELEMENTOS BAJO SU MANDO.
TERCERO: EL MINISTERIO DE DEFENSA Y SEGURIDAD PUBLICA DEBERA PREPARAR TODOS LAS DIRECTIVAS, ORDENES Y PROCEDIMIENTOS QUE ASEGURAN EL FIEL CUMPLIMIENTO DE LAS OBLIGACIONS MILITARES Y DE SEGURIDAD QUE CORRESPONDAN A TODO SOLDADO, PREVINIENDO CUALQUIER ABUSO DE AUTORIDADO MAL USO DE LOS MEDIOS COACTIVOS CON QUE CUENTA.
ESPECIALMENTE DEBE REGULARSE EL USO DE LA FUERZA, LOS SISTEMAS DE CAPTURA, EL TRATO CON LA CIUDANDANIA, EL RESPETO A LA PROPIEDAD, LOS DERECHOS DE LOS REOS Y TODAS AQUELLAS ACCIONES QUE SEAN NECESARIAS PARA EL CUMPLIMIENTO DE ESTOS FINES.
CUARTO: SE PROHIBE TERMINANTEMENTE AQUELLAS ACCIONES QUE DE ALGUNA MANERA PUEDAN SER CALIFICADAS COMO PROCEDIMIENTOS REINDOS CON LA LEY Y VIOLATORIAS DE LOS DERECHOS HUMANOS, ASI COMO LA CREACION Y OPERACION DE ORGANIZACIONES O GRUPOS SUBVERSIVOS O TERRORISTAS DE CUALQUIER SIGNO IDEOLOGICO.
QUINTO: TODO SUPERIOR JERARQUICO QUE TENGA CONOCIMIENTO DE CUALQUIER VIOLACION DE LA LEY O DE LOS DERECHOS HUMANOS DEBERA PROCEDER CONFORME LO INDICA LA ORDENANZA RESPECTIVA, EN ESTE CASO EL COMANDANTE DEBERA ORDENAR ARRESTO PREVENTIVO, Y ABRIR

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EL INFORMATIVO CORRESPONDIENTE. DADO EN EL SALON DE SESIONES
DE LA JUNTA REVOLUCIONARIA DE GOBIERNO, CASA PRESIDENCIAL A
LOS -----DIAS DEL MES DE -----DE MIL NOVECIENTOS OCHENTA. DION

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